Previous references.
cb 187-11 Sb 1-6
cb 133-11 Sb 1-4
cb 298-10 Sb 1-6
cb 73-11 Sb 1-4
cb 285-10 Sb 1-10
Later references.

1911-12
(Court—)

File No. 320-11

Serial Nos. 142

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 142

Part B. for July 1912

SUBJECT.

Escorting charges of prisoners surrendered to the Mysore Residency.

Contents.

1. From the D.G. of Prisons. No 5330/13-08. dated 4-6-12
Requests to be informed of the definite orders of Govt in the matter of the payments by the Durbar of the escorting charges of prisoners surrendered to the British Indian authorities—

2. To the same officer. No 3327 dated 29-7-12
States that the Dy. Ry. of Chitaldrug was in error in paying the charges of the maintenance of Waddara Convicts from the time he reached Bangalore at the time of G. R. S. 58 reaching his destination on the requisition of the Dy. Superintendent of Police, Bellary and requests that Sentences may be pointed out to the Dy. M

7-10-12

G.R.S. 11] 1911-12.

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

Cts File No. 320-11.

FILE HEADING.

Escorting Charges of prisoners Surrendered to the Madras Presidency

From

The Dy. of Prisons in Mysore.

No. 550 / 13-08. Dated 4-6-12. Received 11-6-12.

Diary No. 3225. Enclos. Spare Copies. Serial No. 1.

BRIEF ABSTRACT OF LETTER.

Requests to be informed of the definite orders of Govt. in the matter of the payment by the Durbar of the escorting Charges of prisoners Surrendered to the British Indian authorities

NOTES AND ORDERS.

Subd. The escorting Charges of accused persons Surrendered to the Mysore State by the Madras Govt are borne by ~~the~~ two Madras Govt. and of those Surrendered from Mysore to the Madras Presidency

NOTES—First Sheet.

GPB—30,000—12-8-11

G. R. S. 12]

General and Revenue Secretariat. | Cts File No. 320 of 1911-12

Serial No.	
	are met by this Durbar. Circle Govt order No J 2436-2445-C 75-4 of 24-2-1905.) Sometimes, the Madras Govt surrender their convicts or 'undertrials' on condition of their being resurrendered on the expiry of their trial in Mysore. The question then arises as to who should bear the expense of resurrender, and if it is this Durbar, how much of it should be defrayed by them. The answer to the first question is that it is the Mysore Govt who are bound by the condition to send back the prisoner or the 'undertrial', as the case may be, and that they are therefore to meet the Charges. If this is conceded, there should be no difficulty in deciding the 2nd question (viz, the point raised by the District Magte of Chitaldrug) if
V+S	G.O. No 938 Jud 01 and 12627-38-J 1039 of 21-7-1900 & 31-1-1902, are strictly applied. So much of the

NOTE—Contn. sheet.

GPE—20,000—20-1-12

G. R. S. 12]

General and Revenue Secretariat.

C/5 File No. 320 of 1911-12

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expenses connected with their transit as will be incurred till they are handed over to the British authorities will be a charge on the Mysore Govt. As to where the Mysore escort should end the latter G.O.s referred to above say that ~~xxxxxxxxxx~~ in the case of Road ~~xxx~~ journey, it ~~xxxx~~ terminates at the nearest frontier Station on the British side and at Kuppam, Hindupur and Ranebinnur (or Dharwar) respectively, in the cases of the three lines of Railway in Mysore.

(2) The Procedure in regard to recovery of the Charges of accused persons surrendered to & from the Bombay Presidency, however slightly varies. The Charges in this case are debitable to the State which asks for surrender (G.O. No 13544-53-J (4) & 17.2.02) Subd for orders.

HCS-122
15.6.12

17/6/12 The D.S.P. of Bellary does not seem to have been in order

U.

NOTE—Contn. sheet.

GPB—20,006—20-1-12

G. R. S. 12]

General and Revenue Secretariat. | Ch File No. 320 of 1911-12

Serial No.

demanding payment of charges incurred during the transit of the prisoner after he was handed over to the British authorities at Roy dung. Perhaps he prefered the claim on the strength of the fact that the words "until they are handed over to the authorities of..." found in the second sentence of the Madras Govt order of 13 to Dec 1904 are not found - with appropriate modifications - in the first sentence of that order. But the whole tenor of the correspondence on the subject shows that no differ in the procedure was intended. It is believed that this is the first claim of the kind advanced by the Madras officers.

4) The District might well have refd the D S P to Madras order of 1904 instead of making the payment.

5) The fact that the prisoner was surrendered under Sec 11 of the Extradition Act makes no differ. In either case we are bound to surrender prisoners to the British authorities. Madras refd to in para 4 of the

NOTE—Contn. sheet.

G. R. S. 12]

General and Revenue Secretariat. | Cts File No. 320 of 1911-12

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1. G's letter is diffr as we have no arrangement with the Govt of Bombay similar to that with Madras. Perhaps the Resr may be moved in the matter. Else this may become an inconvenient precedt

21/6/12

Lee 7) After his prisoner was handed over to the British Police at Royadrug his responsibility for the custody and all further charges in connection with the escort of his prisoner should have been borne by the treasury. The Dist Magr of Chitaldrug was therefore in error in paying his charges of the prisoner's maintenance from Royadrug onwards to his destination at his requisition of the Dist Magr Bellary. It will be sufficient to point this out to the Dist Magr

2 The rules on the subject are quite clear and this does not appear to be any necessity for any

NOTE—Contn. sheet.

GPB—20,000—20-1-12

G. R. S. 12]

General and Revenue Secretariat.

CS File No. 320 of 1911-12

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reference being made to the Resident on the matter as suggested by him as "Secret"

1st Connaker

28/6

I agree

1/7/12

Draft letter & D Note & Chitaldrug submission

2/7

2/7

2/7/12

Draft Subs

Hog-122 SW(11)

9.7.12.

11/7/12

256. Secy. 1st Connaught

If this refers to Prisons, please submit also to 2nd C.

22/7/12

Subd to 2nd C

23/7/12

NOTE—Contra. sheet.

GPB—20,000—20-1-12

G. R. S. 12]

General and Revenue Secretariat. | 6/5 File No. 320 | of 191 1 2

Serial No.

Draft approved by the 2nd Bd

24.7.12

24/7

24/7/12 24/7

2 To the D.G. of Prisons in Mysore No 3827 dt 29-7-12

States that the D.M. of Chitaldrug was in error

in fixing the charges of the maintenance of

Wadders Sannegs from Reporting the time he reached

the time of reaching his destination on the requisition of the

Dt Superintendent of Police, Bellary & requests

that the may be pointed out to the D.M.

NOTE—Contra. sheet.

19

From The Inspr. Genl. of Prisons in Burma.

To The Offg. Secretary to Govt. Genl. & Rev. Depts.

Dated 4th June 1912

Despatched

Received

General No. 550

No. 13-08

Enclosure No. nil.

Requests to obtain and intimate definite orders of Govt. in the matter of incurring by the Myook Durbans the dieting and other charges of prisoners after their re-surrender from the State to British or other authorities for reasons stated

J3225

No. 550
13-08

Office of the Inspector General
of Prisons in Mysore.

Dated Bangalore, 4th June 1912.

From

P.S.Achyuta Rao, Esqr.,
Inspector General of Prisons in Mysore.

To

K.R.Srinivasa Iyengar, Esqr., M.A.,
Offg. Secretary to the Government of H.H.
the Maharaja of Mysore, Genl. and Rev. Deptts.

Sir,

I have the honor to intimate that the District Magistrate of Chitaldrug brought to my notice that a convict by name Waddar Sannaga who was undergoing his sentence in the Vellore Central Jail was surrendered by the District Magistrate of Bellary to the authorities at Chitaldrug to stand his trial for offences under sections 379 and 411, Indian Penal Code, subject to the provisions of section 11 of the Indian Extradition Act.

2. After the close of the trial, the convict was re-surrendered to the British Authorities at Royadrug and the charges incurred on his account till then were borne by the Mysore Durbar.

3. Under the authority of Order No. J.1859, Judicial, dated the 13th December 1904 of the Madras Government quoted in extenso in order No. J.2436-2445/C.75-4 dated the 24th February 1905 of the Government of His Highness the Maharaja of Mysore, the Superintendent of Police, Bellary, claimed a sum of Re. 0-12-0 being the charges incurred on account of prisoner's maintenance from Royadrug onwards, till he reached his destination. In bringing this fact to my notice , the District Magistrate of Chitaldrug

sought

sought my instructions as to whether the request of the Superintendent should or should not be complied with, so far as paying the charges incurred in dieting the prisoner after his having been handed over to the British Police at Royadrug and before he (the prisoner) reached his destination.

4. The District Magistrate also instanced a case viz, that of one Muradi Bheema who was surrendered at Ujjani, Kudligi Taluk, in which no further dieting or maintenance charges were paid, after he was handed over to the British Police.

5. In reply, I wrote and intimated to the District Magistrate that the Government Order of the 24th February 1905 was quite clear and that no further charges need be incurred by the Mysore Durbar, when once a prisoner was handed over to the British Authorities.

6. The District Magistrate now writes to me to say that the charges, on being hard pressed, were paid before my reply to his reference reached him and wishes me to obtain definite Government Orders on the subject for his future guidance in similar cases.

7. I request the favor of your obtaining such definite orders of the Government and communicate the same to me.

I have the honor to be,

Sir,

Your most obedient servant,

J. J. Cunningham

Inspector General of Prisons.

G.R.S. 26]

Cls File No. 320-11

Serial No. 2.

Diary No. of letter replied to

No. 324.

General and Revenue Secretariat

( )

, the 19 .

To

The Inspector General

of Prisons in Mysore

Date of issue 29.4.12

Signed by [illegible]

Sir,

Adverting to your

letter No. 550/13-08 dated the

4th June 1912, in the

matter of the payment

by the Durbar, of the

escorting Charges of the

Waddar Sannaya who was

prisoner & surrendered

to the British Indian

authorities, I am directe

over.

SUBJECT.

to observe that, after the
said prisoner was handed
over to the British Police
at Raydrug, the responsibility
of the Mysore Police ceased,
and that all further
Charges in Connection
with his escort should
have been borne by
the Madras ~~Police~~ District
Police. The District
Magistrate of Chitaldrug
was therefore in error
in paying the Charges
of the prisoner's maintenance
from Roydrug onwards to
his destination, on the
requisition of the District
Superintendent of Police
Bellary. I am to request that this
may be pointed out & have &c.
to the District
Magte. of Chitaldrug.

List of enclosures,

22/7

Dfd
Jt. Os. 122
9.7.12.

Copied by

Examined by

Secy to Govt 23/7

24/7/12

SW (11)
9/7/12

GPB—20,000—26-9-10